

applicants elect the claims based on the earlier restriction requirement dated December 10, 2001. Applicants hereby re-elect with traverse Group I, Species C (SEQ ID NO: 4) as claim 4 is directed to a cancer peptide consisting of SEQ ID NO: 4 or portion or derivative thereof. This election is made because the claims of Group I (claims 1-30) now include a claim directed to SEQ ID NO: 4 and it was because none had previously been included that led the Examiner to issue this second restriction requirement. Thus, applicants' response is believed to be proper.

Claim 4 has been amended so as to be directed to subject matter related to Group I peptides comprising claims 1-30. The amendment clarifies the wording of the claim, such that the cancer peptide of claim 4 consists of SEQ ID NO: 4 or derivative thereof. This is not new matter, only re-wording of the claim as originally intended and as demonstrated by claims 2-3, and claim 5. Support for this claim can be found in the specification on page 9, lines 10-23. No new matter has been added nor does the amended claim add any new issues of patentability.

Finally, as required by 37 C.F.R. 1.121, a "marked up" version of the replacement claim is attached with additions indicated by underlining and deletions indicated by brackets.

Applicants respectfully request favorable consideration of the present application and claim. Early and favorable action by the Examiner is earnestly solicited.

No additional fee is believed to be necessary.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4269US1.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition and for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 2026-4269US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

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By: 

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